

TRUCK SAFETY FUND GRANTS GRANT MANAGEMENT REQUIREMENTS

1. All correspondence to the Office of Highway Safety Planning (OHSP) regarding this project shall include the project number, example: TS-14-01.
2. A change in Project Director, Agency Contact Person, Financial Officer, Authorizing Official, addresses, or telephone numbers requires written notification to OHSP. These changes must also be made to the web based grant application.
3. OHSP may conduct a monitoring review of this Truck Safety Fund grant. The purpose of this review is to determine adherence to stated project objectives, to review financial procedures, and to ensure compliance with grant requirements. All grantees are expected to cooperate with all reasonable requests for information as part of the Monitoring Review process.
4. All published reports generated from this project must include the following disclosure statement:

The opinions, findings, and conclusions expressed in this publication are those of the author(s) and not necessarily those of the Michigan Truck Safety Commission or the Michigan Office of Highway Safety Planning. This report was prepared in cooperation with the Michigan Office of Highway Safety Planning and Michigan Truck Safety Commission.

5. The grantee agrees to ensure that no person in the United States shall, on the grounds of race, color, religion, national origin, ancestry, age, sex, height, weight, marital status, physical or mental handicap or disability, political affiliation or beliefs, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under this program. The grantee shall adhere to all applicable Federal, State, and Local laws, Ordinances, Rules and Regulations including, but not limited to, the following:
 - a. The Grantee will comply with all State and Federal statutes and implementing Regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and the Americans with Disabilities Act of 1990 (Pub. L. 101-336), as amended (42 U.S.C. 12101, et seq.), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Civil Rights Restoration Act of 1987 (Pub. L. 100-259), which requires Federal-aid recipients and all sub-recipients to prevent discrimination and ensure nondiscrimination in all of their programs and activities; (f) the Drug Abuse Office and Treatment Act of 1972 (Pub. L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (g) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (Pub. L. 91-616), as amended, relating to nondiscrimination on the basis of

alcohol abuse or alcoholism; (h) Sections 523 and 527 of the Public Health Service Act of 1912, as amended (42 U.S.C. 290dd-3 and 290ee-3), relating to confidentiality of alcohol and drug abuse patient records; (i) Title VIII of the Civil Rights Act of 1968, as amended (42 U.S.C. 3601, et seq.), relating to nondiscrimination in the sale, rental or financing of housing; (j) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (k) the requirements of any other nondiscrimination statute(s) which may apply to the application.

- b. The Elliott Larsen Civil Rights Act, 1976 PA 453, as amended.
- c. The grantee's Truck Safety Fund program provides adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks (23 USC 402(b) (1) (D)).

6. Business Integrity Clause: The Agency may immediately cancel the grant without further liability to the Agency or its employees if the grantee, an officer of the grantee, or an owner of a 25 percent or greater share of the grantee is convicted of a criminal offense incident to the application for or performance of a State, Public, or Private grant or Sub-contract; or convicted of a criminal offense including but not limited to any of the following: embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, attempting to influence a public employee to breach the ethical conduct standards for State of Michigan employees; convicted under State or Federal antitrust statutes; or convicted of any other criminal offense which, in the sole discretion of the Agency, reflects on the grantee's business integrity.

7. Indemnification:

- a. To the extent allowable by law, all liability to third parties, loss, or damage as a result of claims, demands, costs, or judgments arising out of activities, such as direct service delivery, to be carried out by the grantee in the performance of this agreement shall be the responsibility of the grantee, and not the responsibility of OHSP, if the liability, loss, or damage is caused by, or arises out of, the actions or failure to act on the part of the grantee, any sub-contractor, anyone directly or indirectly employed by the grantee, provided that nothing herein shall be construed as a waiver of any governmental immunity that has been provided to the grantee or its employees by statute or court decisions.
- b. To the extent allowable by law, all liability to third parties, loss, or damage as a result of claims, demands, costs, or judgments arising out of activities such as the provision of policy and procedural direction, to be carried out by OHSP in the performance of this agreement shall be the responsibility of OHSP and not the responsibility of the grantee if the liability, loss, or damage is caused by, or arises out of, the action or failure to act on the part of any OHSP employee or agent, provided that nothing herein shall be construed as a waiver of any governmental immunity by the State, its agencies (OHSP) or employees as provided by statute or court decisions.
- c. To the extent allowable by law, in the event that liability to third parties, loss, or damage

arises as a result of activities conducted jointly by the grantee and OHSP in fulfillment of their responsibilities under this agreement, such liability, loss, or damage shall be borne by the grantee and OHSP in relation to each party's responsibilities under these joint activities, provided that nothing herein shall be construed as a waiver of any governmental immunity by the grantee, the State, its agencies (OHSP) or their employees, respectively, as provided by statute or court decisions.

8. The grantee agrees to abide by the Federal Drug-Free Workplace Act of 1988 (49 CFR Part 29 Sub-part F).

GENERAL PUBLIC INFORMATION AND EDUCATION REQUIREMENTS

1. Materials, including audio and video materials, must be approved by OHSP prior to production. Audio and video scripts must first be submitted for review and approval.
2. Data, materials, plates, negatives, camera-ready copy, designs, concepts, photographs, video, digital media, and audio financed with Truck Safety Grant funds shall be delivered to OHSP. The items will remain the property of State of Michigan and shall not be subject to copyright protection by the vendor or their agents. Items will be submitted to OHSP immediately after production of the item. **Reimbursement shall be withheld until all of the above items have been submitted.**

The grantee shall not enter into an agreement that includes any time limits on rights for music, talent, artwork, or photographs. The grantee shall inform all vendors, sub-contractors, or their agents of this requirement before authorizing work to be performed.

3. Videos, print photography, or graphics shall depict drivers and passengers to be properly restrained by seat belts or child passenger safety devices unless the lack of restraints is for demonstration or educational purposes.
4. Messaging costs which are of a public relations nature, and designed in-whole or in-part to promote either an individual, agency, organization, or a governmental unit, is prohibited and not eligible for reimbursement.
5. Closed Captioning: All DVD's must be closed-captioned. This includes any online videos.
6. Public communications or news releases concerning this project shall state that the project is financed with funds from the Michigan Truck Safety Fund.

STATE OF MICHIGAN PRINTING REQUIREMENTS

1. In all cases, recycled paper must be used, if available, and if the cost does not exceed the cost of virgin paper by more than ten percent. If the item is printed on recycled paper, a recycled logo must be used to indicate the use of recycled stock.
2. The following items require the prior approval of OHSP:

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- flyers
 - posters
 - printing requiring two or more colors of ink
 - annual reports
 - newsletters
 - printing requiring photographs
 - printing projects that include silk screened folders or binders, die-cut folder or covers, holograms, foil printing, embossing, or engraving
3. Alternatives to using more than one color of ink may include the use of colored paper or special screening to give an additional color effect.
 4. Paper stock shall be standard sizes, as unusual sizes or special-order paper stock is more expensive than standard size and result in additional waste.
 5. For Truck Safety Funded Grants:

The following byline shall be placed on all printed public information and education materials:

“This material was developed through a project funded by the Michigan Truck Safety Fund.”

COPIES

1. OHSP requires **one copy** of any publication produced with State Truck Safety Grant Funds **if the items are not distributed statewide**. The copy can be submitted via e-mail, CD, or flash drive.
2. OHSP requires **15 copies** of any of the following produced with State Truck Safety Grant Funds **if they are distributed statewide**. These copies are distributed throughout the State of Michigan's library system:
 - annual reports
 - manuals, handbooks, and training materials
 - news releases
 - statistics
3. OHSP requires **eight copies** of any of the following produced with State Truck Safety Grant Funds **if they are distributed statewide**. These copies are housed as part of the State of Michigan's library system:
 - posters
 - brochures
 - flyers

4. If the publication is available on a publicly accessible Web Site, a link to the document must also be provided to OHSP. The State of Michigan's library system will then include it in its digital archive.

PROGRAM REQUIREMENTS

1. Progress reports are required to be submitted throughout the grant period. The due dates for these reports are specified in the approval letter and must be submitted online. Reports shall describe activities undertaken to accomplish each project objective, reason for non-activity if necessary, activities planned for the next quarter and obstacles encountered or anticipated. Progress reports must be submitted in order for OHSP to process financial reimbursement.
2. The final progress report is due on the date stated in the approval letter and shall include a summary of all activities and accomplishments for the entire grant period. Include the following information in the project summary:
 - a. A brief description of the project's purpose and the problem it addressed.
 - b. A list of significant accomplishments or activities of this project that addressed the project objectives.
 - c. A summary of how this project affected the initial stated problem.
3. Out-of-state travel funded by State grant funds requires prior written approval by the OHSP Division Director. A written request shall be submitted on the form provided. **Requests shall be submitted at least 30 days in advance of anticipated travel.** Financial commitment (i.e. travel arrangements, conference fees, hotel reservations, etc.) shall not be made prior to OHSP approval.
4. If a project modification is required, the grantee shall contact the OHSP program coordinator for prior approval.
5. For Enforcement Grants Only:
 - a. The grantee shall verify that all officers working an impaired driving enforcement detail have completed the NHTSA-International Association of Chiefs of Police (IACP) approved Standardized Field Sobriety Testing (SFST) curriculum.
 - b. Law enforcement agencies shall adopt the IACP model policy on seat belt use or have a written policy in place requiring the use of seat belts by all employees and passengers in department vehicles.
 - a. Law enforcement agencies shall adopt the IACP guidelines on vehicle pursuits or have a written policy in place.

- b. Enforcement activity data shall be submitted to OHSP within five days of the conclusion of the enforcement period. Agencies shall use the Enforcement Report connected to the Web-based grant system.
- c. Only Michigan Commission On Law Enforcement Standards certified police officers or Michigan State Police Motor Carrier officers shall be used on enforcement projects.
- d. Use of part-time officers on enforcement projects is restricted and must comply with OHSP policy. **PRIOR APPROVAL IS REQUIRED.** Contact OHSP for a copy of this policy.
- e. Grantees acting as a project director of a multi-agency grant must provide the participating agencies with a copy of these Grant Management Requirements.
- f. Truck Safety Grant funds **CANNOT** be used for activities such as traffic control, motorcades, and dignitary protection during election seasons. Truck Safety Grant funds can only be used for activities approved in the grant.
- g. If a police emergency arises during a grant-funded patrol, it shall be determined within one hour if the enforcement will continue or be rescheduled.
- k. All law enforcement officers participating in Truck Safety Grant-funded traffic enforcement detail shall wear a properly fastened seat belt in accordance with State law. Officers found in violation of this requirement while working a grant-funded detail are ineligible for funding reimbursement from OHSP.

GENERAL FINANCIAL REQUIREMENTS

- 1. Only program activities and expenses detailed in the approved grant budget and incurred during the grant period are eligible for reimbursement. Expenses incurred that are not detailed in the approved grant budget or outside of the grant period will not be reimbursed. **Costs cannot exceed the approved grant award.**
- 2. Goods purchased through the grant shall be received in acceptable condition. If goods are not received in acceptable condition within thirty days prior to the grant ending date, the grantee shall contact the OHSP program coordinator.
- 3. The grantee shall use Generally Accepted Accounting Principles (GAAP).
- 4. Costs charged to this grant cannot be charged to any other program, agency, or organization. Law enforcement agencies cannot offer comp time in lieu of overtime pay.
- 5. All costs shall be actual and supported by source documentation. Financial reimbursement will be delayed until all backup documentation is received by OHSP. Information is available from OHSP to assist with identifying adequate backup documentation for Truck Safety Fund Grant cost claims.

6. A separate account or fund must be established for this project. A separate account is required to be maintained by all agencies receiving Truck Safety Grant funds from OHSP regardless of the dollar amount. In addition, grantees receiving Truck Safety Grant funds from OHSP for multiple grant projects must have a separate account for each grant project. It is the responsibility of the oversight agency to insure that all sub-agencies meet this requirement. The general ledgers of the sub-agencies are not required to be submitted with requests for payment unless specifically requested by OHSP.
7. Costs must be net of all applicable credits such as purchase discounts, rebates, or adjustments of overpayments or erroneous charges.
8. Deviations from the approved budget require **prior approval from OHSP**. This would include but not be limited to:
 - a. A specific item of cost not included in the approved budget.
 - b. An increase in the number of a specific item over and above the total authorized.
 - c. A transfer between major budget categories in excess of ten percent of the category being increased.
9. Procurement Methods:
 - a. Competition: Grantees shall conduct all procurement and contractual transactions, without regard to dollar value, to provide maximum, open, and free competition. Maximum, open, and free competition shall be assured through the distribution of an adequate number of proposal solicitations.
 - b. Small Purchase Procedures: Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than \$25,000 in total. If small purchase procedures are used, price or rate quotations must be obtained from at least three qualified sources.
 - c. Competitive Bids: For purchases over \$25,000, the grantee shall follow their competitive bid process providing it is at least as restrictive as the process required by the State of Michigan. The grantee or their contractor agrees to ensure that minority business enterprises, as defined in 49 CFR Part 23, have the maximum opportunity to participate in the performance of contracts and subcontracts financed, in whole or in part, with funds provided under this agreement.

In those instances where three bids have not been received, a full explanation, along with the names and addresses of those firms and individuals requested to bid, and including reasons why agencies failed to bid, must be forwarded to OHSP for approval **prior** to awarding a contract.
10. Documentation for costs shall be maintained for three years following final reimbursement.

11. Any program income received shall be used exclusively to further truck safety project activities. Program income is defined as gross income earned by the grantee from grant supported activities. OHSP shall be notified if program income is generated. Some examples are proceeds from the sale of items purchased or developed with grant funds, or revenue received from attendees at trainings or conferences paid for with grant funds. Program income must be netted against costs incurred within the grant or returned to OHSP, unless prior permission is obtained from OHSP to use the funds for other traffic safety projects. Contact OHSP for further information.

12. Supplanting:

The replacement of routine and/or existing expenditures incurred by any State, Local, or Private Organization, such as personnel, operating, equipment, etc., with State Truck Safety Funds is prohibited.

The sub-grantee shall not use grant funds to supplant State, Local, or Private Organization funds or other resources that would otherwise have been made available for this program. The Financial Officer or Authorizing Official may not be funded under this grant.

COST REIMBURSEMENT

1. OHSP projects are based on the cost reimbursement concept; i.e., State, Local, or Private Organization funds shall be expended before reimbursement is provided.
2. Reimbursement is based on submission of progress and financial reports. All requested information should be submitted electronically whenever possible. Otherwise, backup information may be submitted via U.S. mail or by fax. A Financial Report submitted to OHSP by a grantee shall contain the following to be considered complete:
 - a. Electronic signatures as indicated by agency passwords for the agency's Financial Officer or Project Director.
 - b. A copy of a report for the current period generated by the grantee's official accounting system which shows a description of the item and the actual amount spent. Some examples of acceptable reports include a detailed general ledger, a transaction ledger, a payroll journal, or a detailed budget/expenditure report. The report must match the amount being requested for reimbursement.
 - c. For enforcement grants: Officer names, dates, and amounts paid for each agency participating in grant funded patrols.
 - d. For non-enforcement grants with personnel costs: Activity logs as described in Personnel Costs under Budget Cost Category Requirements.
 - e. Copies of invoices must be included.
 - f. Additional documentation as requested by OHSP.

3. Financial Reports are due on a monthly basis. Financial Report due dates are specified in the grant approval letter. Financial Reports must be submitted even when the project experiences no costs. In this case, a value of zero shall be submitted on Financial Report. The submission of Financial Reports is mandatory, and non-compliance can result in termination of the grant.
4. The Project Director shall ensure that financial reports are submitted in compliance with reporting deadlines. If the financial report is submitted electronically without backup documentation, the financial report is not considered submitted and the grantee will receive a delinquent letter stating same.
5. A delay in submitting support documentation may result in the suspension of all grant activity.
6. Failure to submit cost statements with adequate supporting documentation prior to the fiscal year close out deadline will result in non-reimbursement of those costs. Costs from one fiscal year cannot be paid in a subsequent fiscal year.

BUDGET COST CATEGORY REQUIREMENTS

PLEASE REFER TO THE FOLLOWING FOR SPECIFIC REQUIREMENTS OF BUDGET COST CATEGORIES. ONLY REQUIREMENTS FOR COST CATEGORIES CONTAINED WITHIN YOUR APPROVED GRANT BUDGET APPLY.

PERSONNEL COSTS

1. Payments for salaries and wages shall be supported by a time and attendance report, based on an after-the-fact distribution of time, which shows details of the activities performed.

For enforcement grantees (including sub-grantees)-A daily activity log with descriptions of the activities performed must be completed for all time requested for reimbursement. The time on the daily must agree with the hours requested, and approval must be documented electronically or in writing. Daily logs shall be kept on file at the agency and must be submitted with other supporting financial backup if requested by OHSP or be made available during monitoring. A list of officer's names, dates worked, and amounts paid for each agency participating in grant-funded enforcement patrols must be submitted on the enforcement grantee reimbursement form provided by OHSP or on an alternate form approved by OHSP.

For non-enforcement grantees-Grantees must maintain activity logs which document the actual amount of time spent on the grant project and describe the nature of the activities performed. If the grant is funded from multiple sources, the logs must show the activity by

fund source. This documentation must be submitted with the financial reimbursement request.

2. Reimbursement for wages and fringe benefits shall be based on actual costs not budgeted rates.

Only those fringe benefit costs that actually increase as a result of hours worked on this project can be claimed for reimbursement. For overtime wages, those costs typically include FICA, workers comp, and retirement, but if any of these costs are structured so that they do not increase with overtime, they cannot be reimbursed. For defined benefit pension plans, the grant will not pay any portion of the rate that is a prior year unfunded liability. For straight-time grant-funded positions, all fringe benefits associated with the position may be claimed to the extent that the position has been approved for reimbursement (e.g., if 50% of the position is grant funded, 50% of the fringes benefits can be claimed.) Fringe benefit rates must be reasonable.

3. The rate of pay for grant-funded enforcement shall be determined according to the grantee's policy, contract, or employment agreement. Overtime rates must be applied consistently to all activities of an agency. Higher rates may not be established for Truck Safety grants.
4. Agencies shall comply with all State labor laws.

CONTRACTUAL SERVICES

Contractual services are services of individual consultants or consulting firms engaged in performing special services pertinent to highway safety.

NOTICE: Contracts paid for in whole or in part with Truck Safety Funds must be made available to OHSP upon request as part of the monitoring and audit process.

OPERATING COSTS

1. Automotive expenses submitted shall be based on actual costs incurred for grant related activities. In most cases, this will be calculated by multiplying actual miles driven times a mileage rate. The rate will be determined when the grant is approved, but will generally be the IRS business mileage rate. With prior approval, reimbursement may be allowed based on the actual costs incurred for gasoline, maintenance, insurance, and other vehicle expenses. The grant shall not reimburse costs associated with the personal use of vehicles funded with Truck Safety Funds.
2. Reimbursements for travel (meals, lodging, mileage, etc.) cannot exceed the lesser of the grantee's published travel rates or the allowable State of Michigan travel rates. Exceptions to this for unusual situations require approval by OHSP prior to incurring the expense.

Out-of-state travel funded by State grant funds requires prior written approval by the OHSP Division Director. A written request shall be submitted on the form provided. **Requests shall be submitted at least 30 days in advance of anticipated travel.** Financial commitment (i.e. travel arrangements, conference fees, hotel reservations, etc.) shall not be made prior to OHSP approval.

3. Postage, telephone, and grant-related travel costs shall be documented by log or meter and

submitted with the reimbursement request.

4. Only eligible operating costs specifically listed in the approved grant budget will be reimbursed.

EQUIPMENT

1. Only eligible equipment specifically listed in the equipment section of the approved grant budget will be reimbursed.
2. Equipment purchases shall be initiated within the time period specified in the approved grant. Initiated means bids were solicited, accepted, and items have been ordered. If there is a reason a grantee is unable to meet this requirement, OHSP shall be contacted immediately.
3. Equipment purchased through this grant shall be used only for Truck Safety activities throughout its useful life.
4. If the equipment is disposed of or ceases to be used for Truck Safety activities, and the equipment is determined to have a Current Fair Market Value of \$5,000 or more, OHSP reserves the right to retain or transfer title to all items. OHSP may allow the holder of the equipment to retain title of the equipment and reimburse the State share of the fair market value of such equipment. The Current Fair Market Value shall be determined as follows:
 - a. Appraisal by an independent source with expertise in valuation of similar items is the preferred method of valuation for equipment.
 - b. Kelly Blue Book values may be used, taking into consideration the physical condition of the vehicle.
 - c. If a fair market value based on appraisal or Kelly Blue Book values cannot be determined, the value may be based on IRS depreciation schedules. Only straight line depreciation may be used.
5. Equipment with a cost of \$5,000 or more shall be tagged by the grantee for inventory control purposes. Equipment must be maintained on a physical inventory list if it has a value of \$5,000 or more. In addition, the OHSP Equipment Record System Form with all applicable information completed shall be submitted with the grantee's reimbursement request. The grantee shall complete an equipment inventory form sent to them by OHSP each year that the value remains \$5,000 or more, and shall make the item available for physical review by OHSP staff upon request.

INDIRECT COSTS

Indirect costs cannot be specified in all situations because of diverse characteristics and accounting practices. Typical examples of indirect costs may include certain State/Local-wide central service costs, general administration of the grantee department or agency, accounting and personnel services performed within the grantee department or agency, depreciation or use allowances on buildings and equipment, the costs of operating and maintaining facilities, etc.

Indirect costs shall be provided at a negotiated rate mutually acceptable to the grantee and OHSP. The indirect cost rate shall be developed in accordance with *Federal Circular A-87* and shall be supported by the grantee's central service cost allocation plan or its equivalent. The indirect cost rate must be approved by the grantee's cognizant agency with written documentation maintained by the grantee. If the grantee does not have a cognizant agency, OHSP will serve in this capacity.

TERMINATION

OHSP retains the right to terminate a grant for failure to meet the grant management requirements. When a grant is terminated by OHSP, the grantee shall not be eligible to seek grant funding for a period of two years. In order to obtain a grant after the two-year period, the grantee will be required to submit written assurance that the identified deficiencies have been corrected. Additionally, the agency may be required to submit more frequent financial reports to allow for increased financial monitoring.